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ABSTRACT

Current trends in teacher militancy alter the status of the principal, his effectiveness as an administrator, and his role in educational leadership. The best education of students demands a working partnership of teachers, principals, superintendents, and school boards, characterized by common goals, open communication, and mutual respect. The principal, in addition, plays a special role in creating and maintaining open lines of communication and mutual respect in collective negotiations. Agreements should be reached by consensus rather than by fiat, with personnel relating as partners rather than as adversaries. This booklet offers 11 guidelines for principals in taking effective positions in the collective negotiations arena. (RA)

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The Principal's Role

In Collective Negotiations

Between Teachers and School Boards

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Foreword

The education of youth is not simply the affair of teachers or school boards or administrators. It is not merely the interest of the day or the school year or the decade. It is literally the concern of *all* Americans, and it involves the future.

In this booklet, Benjamin Epstein discusses one of the most revolutionary forces affecting public education today—the demand of teachers to participate with school boards in educational decision-making. Principals, in general, applaud the efforts of teachers to improve their standing as professionals. But principals cannot and must not be a forgotten group in any dialogue that may develop between school boards and teachers.

Mr. Epstein prepared this statement at the request of the Executive Committee of the National Association of Secondary-School Principals. A panel of principals from states throughout the nation reacted to his manuscript and suggested revisions. To these principals and to Mr. Epstein, we express our appreciation.

ELLSWORTH TOMPKINS
Executive Secretary
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THE AMERICAN TEACHING PROFESSION is undergoing a period of ferment and upheaval. With accelerating speed, teachers are mobilizing their collective strength to improve their professional status and their work conditions. They demand an equal voice with school boards and administrators in developing educational policies, and, no longer satisfied with mere permission to petition and be heard, they insist on the full right to give and take at the negotiating table. They are using many methods to attain their goals. Terms such as strike, sanction, bargaining power, and written agreement are becoming increasingly familiar in American education.

The changing relationships among teachers, administrators, and school boards emerging from this heightened teacher militancy are producing sweeping forces that alter the status of the principal, his effectiveness in fulfilling administrative and supervisory responsibilities, and his role in educational leadership.

EDUCATION—A COOPERATIVE VENTURE

The National Association of Secondary-School Principals is convinced that the best education of our students demands a genuine working partnership of teachers, principals, superintendents, and school boards. This partnership must be characterized by devotion to common aims, by mutual respect, by continuous frank communication, and by thorough recognition by each of the contributions, problems, and responsibilities of the others.

At this moment in our nation, the task of educating youth is far too crucial and demanding to have it impeded by needless conflict among those dedicated to its maximum productiveness. Ineffective approaches to teacher-administrator-board relationships and outworn line-and-staff practices must be discarded because they have become ill-suited to our times. There is great need for new and creative concepts that will enlist the support of every group within the teaching profession as well as the intelligent cooperation of every school board.

The wave of teacher militancy can take either of two directions. On the one hand, it can render great positive service. It can enlist the group-strength of teachers to improve the working atmosphere in schools for both students and the professional staff, to obtain sufficient and better materials of instruction, to eliminate wasteful overburdening of teachers, to raise the living standards of teachers to a truly professional level, and to eliminate needless sources of teacher dissatisfaction. To teachers it can bring a real participation as professional peers in contributing to the making of educational policy and with it a heightened sense of their own professional dignity and responsibility. To the achievement of these ends, NASSP gives its fullest support.

On the other hand, teacher-militancy can become reckless and exclusively self-seeking. It can foster a philosophy of self-pity and despair among teachers. It can promote distrust and antagonism among teachers, administrators, and school boards. It can bog down the operation of schools in a mire of petty grievances and complaints. It can attempt to substitute bargaining power for professional knowledge and judgment. It can alienate citizen support for the schools. NASSP recognizes these as undesirable results and consequently pledges its vigorous opposition to them.

REACTION TO NEGLECT

It is unfortunate that the soil that bears the seeds of teacher dissatisfaction has been permitted to become so fertile. For too long our nation has dragged its feet in meeting the basic needs of schools and their teachers. Overcrowded classes, inadequate salaries, an absence of the welfare benefits that have become commonly available to employees in private enterprise, the continued use of teachers to perform non-professional duties as clerks and patrolmen, are often the rule rather than the exception. This

is especially true in the large urban centers where slums and 'social dynamite' make teaching additionally difficult.

Discontent, accompanied by a strong will to help shape their own future, is provoking teachers to seek for themselves a more significant share in the control of education. Discontent is manifested by a search for organizational leadership that will rapidly improve conditions and achieve for teachers the dignity of true professionals. It has stimulated intense competition between local units of the National Education Association and the American Federation of Teachers—neither of which has a monopoly over teacher militancy—each trying to prove to teachers that it can best secure a higher quality education and a better life for teachers.

While many of the employer-employee relationships in private, profit-seeking enterprises are quite similar to those in public education, there is one basic and pervasive difference. In private business there is often an inherent conflict between the fundamental aims of management, which attempts to keep profits high, and those of labor, which struggles for maximum income and benefits even if this reduces profits. In education, profit is never the motivation; instead the goal should always be the creation of the best opportunities for children to learn. Agreement on purpose and cooperation, rather than conflict, must be the characteristics of employer-employee relations in public education.

Unfortunately, many school boards have considered their role as one no different from that of directors of private corporations. Their efforts to employ efficient business practices are laudable, but frequently they have been more concerned with keeping costs down than with evaluating the effect of their economies on the education of young people and on the welfare of teachers. It is small wonder that teachers have begun to adopt the techniques of organized labor. Throughout the length and breadth of the nation, in urban, suburban, and rural school districts, teachers are using their bargaining power to force school boards to meet with their representatives and come to terms. When teachers feel that it is justified, they have used strikes, sanctions, boycotts, and mass refusal to sign contracts.

As part of this new mood, many teacher organizations, AFT locals especially, have come to regard superintendents and other administrators as "management," dedicated, in the main, to sup-

porting and enforcing school board policies. Local teachers' organizations that include administrators are beginning to be looked on as management-controlled, and less than genuinely dedicated to the cause of teacher welfare. Some local NEA affiliates, despite their theoretical commitment to a united teaching profession, have become sensitive to the charge that they are administrator-dominated. They have shown, in some cases, increasing signs of discomfort with the continued participation of principals, superintendents, and other administrative personnel as part of their membership. In many elections to choose a teachers' bargaining agent, and in large urban areas particularly, administrators and supervisors have been excluded from the officially recognized negotiating unit.

EMERGING PATTERNS

Out of this struggle of teachers for the right to construct educational policy, radically new patterns of teacher-board, teacher-superintendent, and teacher-principal relationships may emerge. The superintendent may no longer be able to regard himself as the educational leader who speaks for and represents the professional staff. He will not be considered the negotiator for teachers since he has not been elected the official spokesman of that teacher organization which is the recognized bargaining unit. In some cases, he may serve as conciliator or top-level consultant. But, in all negotiations, he will be treated as the board's agent, not only by the board but also by the teachers.

In recent years, despite strong resolutions of the National School Boards Association which declared that negotiation of compromise agreements with teachers constituted an abdication by school boards of their legal authority, it was, nonetheless, recognized that the pressure of teachers' organizations to negotiate would have "significant effects upon the operation of public schools in the years ahead." At the same time the NSBA urged school boards to resist threats of strong teacher action and reprisal, it proposed that school boards set up procedures for involving teachers "in discussing budget needs with particular emphasis on the determination of salaries and the handling of grievances." In practice, a considerable number of school boards, faced with threats of strikes, sanctions, and ensuing public turmoil, have found it expedient to brush aside concern with legal prerogatives.

They have accepted the process of negotiation and signed written agreements with their teachers.

Moreover, the scope of these agreements has not been confined to the problems of salaries and grievance machinery. Both NEA and the AFT local units insist on the right to discuss any and all items which affect educational policy. Many items, among which class sizes, teacher transfers, promotion policies, school calendars, extracurricular services, teacher recruitment, and the use of teacher aides are but a selected few, have been written into recently adopted teacher-board agreements. Regardless of their possible reluctance, an increasing number of school boards have concluded that they must come to terms with and learn to work with the collective bargaining power of their teachers.

THE PRINCIPAL—A KEY FIGURE IN NEGOTIATIONS

Principals and other administrators have an important stake in the process of negotiation and agreement-writing. Their functions, activities, responsibility, and authority are always a salient part of the discussions and decisions which emerge from negotiations. It is already too common a pattern for principals not to participate or even be consulted during the process. In most cases, principals learn what has happened only after the agreement has been reached and publicly announced.

If the process of negotiation is designed to democratize personnel relationships in public education, then this by-passing of principals reveals a serious inconsistency. But even more serious is the fact that changes made in educational policy and procedures without the participation of principals are anomalous and self-defeating. The principal is a key figure in the operation of a school. He is charged with a considerable number of responsibilities by state laws, board rules, regulations of the state department of education, court decisions, administrative directives from the superintendent, and unwritten codes which emerge from practical experience, justifiable traditions, and community expectations. The principal is held accountable for every phase of a school's life—its professional staff, the efficiency of its educational program, the safety and security of its pupils, its plant maintenance, and its relationships with the community.

In any negotiating process, principals, whose experience and activities give them a critical overall knowledge of the day-to-day

functioning of the total school, can contribute uniquely to the discussion of items under consideration. The counsel, criticism, and contributions of principals at the negotiating table can be of invaluable service to teachers, school boards, and superintendents in reaching decisions that can produce better schools.

NASSP is deeply concerned about the future of staff-school board relationships. It understands thoroughly the frustrations and hopes which impel teachers to become militant and to strive for the right to communicate their ideas in an atmosphere of democratic dignity rather than polite servility. It believes that teachers, through their chosen representatives, have such a right. However, it cannot stand by merely as a spectator on the sidelines while a major upheaval takes place in its own profession—an upheaval which is already having profound consequences on the functions of its members.

The members of NASSP feel strongly that principals and other administrators must be included in every phase of collective decision-making where their own fate and that of the schools for which they are responsible are to be determined. *NASSP is convinced that schools cannot function effectively without proper supervision and administration.* Only chaos and confusion would result without an informed and sympathetic system of management and control of schools. Furthermore, it is evident that many classroom teachers themselves recognize and support the need for effective supervision and administration.

Guidelines for Principals

NASSP wishes to make known not only its general views on this subject but also its attitudes on the specific phases of the problem. In doing this, it hopes that school boards, superintendents, and teacher organizations will be able to know the position that secondary school principals intend to take with respect to collective bargaining and professional negotiations. For the members of the Association, these proposals may serve as guides for practical action at the state and local level.

1. Public education exists because the people want their youth to be educated, and they have been willing to set up the structure to provide that education. Since the schools are their creation and belong to them, the people retain the right to exercise control over their schools through state legislation and their school boards. In a democratic society it is right and proper that the people retain the final authority over their public schools through their legally constituted agencies – their school boards. It is the function of school boards to employ the staffs and make available the means required to provide the highest quality of education possible.

2. To provide for the educational, psychological, and physical needs essential for the educational growth and development of the students, school boards employ the services of teachers, administrators, nurses, social workers, psychologists, custodians, clerks, and many others. School boards have the right to require that all these employees be appropriately educated and perform their work effectively.

3. All the employees of a school board have the right to expect to be compensated adequately for their work at their own level of training and responsibility. They have the right to work under favorable conditions with reasonable work loads, and they have the right to fair protection of job security. They are entitled at all times to receive respect and dignified treatment from their employers.

4. When teachers, as well as any other school board employees, feel that their remuneration is too low, their conditions of work below acceptable standards, their work loads excessively burdensome, or their treatment as individuals demeaned, they have the right as individuals or as part of a group to present their dissatisfactions and requests to their employers. They also have a right to expect sympathetic consideration of their grievances.

5. When the representatives of teachers present their problems and proposals, it is not enough that the members of a school board listen, withdraw to executive session, and return with take-it-or-leave-it responses. Teachers have a right to be dealt with as promptly as possible; to be heard by board members in an atmosphere of mutual respect; to present their views and to respond to the views of board members; to have access to all pertinent data; and, in cooperation with board members and the administration, to seek equitable solutions, if possible, or fair compromises, if necessary. They have a right to expect that the agreements reached will be set down in writing and enforced.

6. Since many school boards operate under laws which may restrict their right to negotiate with their employees, since many other school boards are uncertain of their legal permission to undertake such negotiations, and since still other school boards refuse to negotiate with their employees unless it is legally mandated, it may be desirable that each state pass legislation to permit school boards to negotiate in good faith with the representatives of their teachers.

7. Whenever two or more groups claim to represent teachers, experience has shown that confusion is best avoided and the negotiative process most effective if that group which represents the majority of the teachers serves as the exclusive spokesman for all the teachers. The selection of such a spokesman must always be a free choice of teachers by means of carefully regulated elections rather than a determination of a school board as to which group it believes represents the majority of its teachers. However, the recognition of any one organization as the exclusive negotiating unit must never deny the right of other groups or individuals to present their problems and requests, even though they do not sit at the negotiating table.

8. NASSP believes that every teacher has the right to join or refrain from joining any teachers' organization. While it would encourage teachers to join and give service to organizations dedicated to improving education and the status of their profession, it insists that such participation should always be a matter of personal decision for the individual teacher. No teacher should ever be subjected to improper pressures, either by his fellow teachers or by administrators, to persuade him to join or avoid joining any organization.

Every *bona fide* organization of teachers should have free and equal access to all teachers through the normal channels of communication in schools. Administrators cannot show partiality to one organization over any other. They must not take on the function of serving as recruitment officers for any organization, regardless of its merit.

On the other hand, NASSP wishes to make this point: its members have every right and privilege to comment on and criticize the program and activities of any and every organization which seeks to affect the policies and practices of public education. Principals and administrators will not waive that right because of the specious argument that this may subject teachers to unfair pressures.

9. Whenever school boards undertake negotiations with an employees' organization, NASSP feels strongly that it is most advisable that the superintendent of schools serve as the chief negotiator for the board, clarifying the board's views to the teachers and the teachers' views to the board. Under no circumstances should the superintendent be denied active participation. Also, the superintendent must act as the expert consultant who has available the needed information, who interprets the overall problems to every party in the negotiation, and who evaluates the effects of all possible decisions on the education of children. He must always have the right to submit recommendations. If the items teachers wish to discuss fall under his legally delegated discretionary power, then the negotiations should take place directly with him rather than with the school board.

10. NASSP adheres to the principle that its members are part of a unified teaching profession. It recognizes, however, that at present there is a dominant trend for teachers to insist on the

right to negotiate for themselves as classroom teachers *per se,* separate and distinct from their supervisory and administrative colleagues. While teachers' organizations are free to exclude other groups from participation in their own bargaining unit, they have no similar right to demand the exclusion of the representatives of principals and other administrators from the negotiating process itself. In fact, many of the negotiations which have taken place without direct representation of principals and other administrators have had, as a result, serious, built-in defects.

Principals recognize gratefully that in many cases where higher salaries were negotiated by teachers, principals were often beneficiaries. Principals are, however, directly concerned with many other items that are considered during negotiations.

In small school districts where principals are few in number, they should be active members of the administrative team involved in negotiations. In larger communities, principals may find it both necessary and effective to organize strong negotiating units of their own or, cooperatively, with other administrators and supervisors. NASSP is strongly convinced that in every case of negotiations between a school board and its teachers, every group whose basic duties and status may be affected by the outcomes of the negotiations has an inherent right to participate in the process.

11. The Association is concerned with and disturbed by certain methods that have been employed by local units of both the AFT and NEA when negotiations have been denied or have broken down and reached the point of impasse. Among these methods are strikes, refusal to supervise student activities, promotion of mass resignations, sanctions, refusal to sign employment contracts, and similar measures. Such protests highlight and dramatize the plight of teachers, but they always disrupt the functioning of schools and delay learning. Often these tactics may alienate public support and create difficulties in attitudes of pupils toward their schools.

NASSP is aware that, except in a few instances, no effective machinery exists for resolving such impasses. It suggests that state laws be enacted to deal with these impasses. It strongly urges the use of mediation and fact-finding as the most desirable and applicable procedures. These methods neither eliminate the

legal responsibilities of a school board nor the independence of employees' organizations since they are advisory and not mandatory.

The National Association of Secondary-School Principals supports the right of teachers through representatives of their own choosing to negotiate with school boards on the subjects of salaries, health and welfare benefits, hours and loads of work, grievance machinery, and physical working conditions.

There are many other problems in education, all of which are of great import to teachers and administrators as part of their professional lives. Types of school organization, curriculum, textbook selection, extracurricular activities, academic freedom, in-service training, auxiliary services, and the handling of discipline are but a partial listing of considerable number of such items that might be enumerated.

NASSP believes that teachers, through their representative organizations, should be involved in formulating policy for dealing with all these matters. On the other hand, NASSP emphasizes that discussions and decisions on purely professional problems cannot be considered in the atmosphere characteristic of the bargaining table. It proposes instead that such considerations take place in an atmosphere of colleagues working together as a professional team. It welcomes the establishment of formal councils made up of representatives chosen by teachers, principals, and supervisors. In many school systems, these councils meet on a building level under the chairmanship of the principal and on a system level under the chairmanship of the superintendent. The councils meet regularly and give all groups a cooperative vehicle for presenting and effecting changes and improvements in any and all phases of the life of schools. Such councils have the right to seek the help of expert consultants.

System-wide councils should have an agreed upon structure, a recognized right to make recommendations to the school board, and a guarantee by school boards to respond to recommendations, giving reasons for such responses. When necessary a council should be able to arrange to meet with a board.

Each group within a council must have a free right to place any item on the agenda, formulate proposals, initiate criticisms, and obtain information. A council will seek consensus prior to

addressing itself to the board; failing to reach consensus, minority and majority views can be sent to the board. The discussions within a council have to be characterized by a maximum of freedom and a total absence of possible later recrimination. Such councils can evoke a partnership rather than an adversary relationship. They can encourage the search for solutions rather than victories.

NASSP looks with optimism and confidence at the development of a new era in school personnel relationships. It welcomes the contributions that teachers and their organizations have already begun to make to American education through the processes of collective negotiations. It knows that the teaching profession and school boards have reached only the outermost frontiers of this area. It is well aware that until experience has taught its lessons, many difficulties and mistakes will have to be overcome. Many views will ultimately be altered. It has presented its views and proposals to help guide its thousands of members in the many varied schools where they work. It hopes its position is clear both to teachers' organizations and school boards.

About the Author

In the world of changing relationships among teachers, administrators, and school boards, Benjamin Epstein speaks with authority based on experience. During his twenty-eight years of service to education, he has been a Biology teacher, a science department chairman, and a high school principal.

Mr. Epstein served for seventeen years as Legislative Representative of the New Jersey State Federation of Teachers and he is a past president of the Newark High School Department Chairmans' Association. He has served also as President of the Newark Public School Principals' Association, and has been Principal of Weequahic High School in Newark since 1961.

Mr. Epstein was awarded the B.S. and M.A. degrees from New York University, and the Doctor of Letters degree from Rutgers. In addition he has studied at U.C.L.A., the University of Rochester, Cornell, Montclair State College, and Seton Hall University.